

STATE OF CONNECTICUT  
EXECUTIVE CHAMBERS  
HARTFORD, CONNECTICUT  
06106

M. JODI RELL  
GOVERNOR

September 13, 2004

The Honorable Michael O. Leavitt  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave, NW  
Washington, DC 20460

Re: Transport of Ozone and Fine Particulate Matter; Clean Air Interstate Rule

Dear Administrator Leavitt:

I am writing to you regarding the U.S. Environmental Protection Agency's (EPA's) proposed Clean Air Interstate Rule (CAIR). Connecticut appreciates EPA's efforts to date in raising the fine particulate and transport issues in the context of this rulemaking. As you are aware, these pollutants result in tens of thousands of illnesses and premature deaths within the region and throughout the country each year. Connecticut cannot attain the National Ambient Air Quality Standard for ozone without more significant and more timely reductions from power plants and large industrial sources throughout the region. I am keenly aware of the important role this rule can play to ensure other states do their part and adequately support resolution of the long standing air pollution transport problem.

The Ozone Transport Commission (OTC), of which Connecticut is an active member, successfully implemented a cap and trade program in 1999 for oxides of nitrogen (NOx), which in its continued form has resulted in a 70% reduction in emissions within the region. Connecticut reduced ozone season NOx emissions from power plants and large industrial sources by 9058 tons, a reduction of more than 81% from 1990 levels. Your rule has the ability to make things better by advancing the air quality goals equitably and imparting predictability and certainty to industry. Unfortunately, as currently drafted, CAIR will not accomplish this goal. We want EPA to succeed through this rulemaking and achieve needed reductions. I urge EPA to:

- Reduce the caps and shorten the timeframes as proposed by the OTC;
- Build upon the success of existing state programs rather than supplant them; and
- Protect states' rights authorized under the CAA through this rulemaking.

If EPA goes forward with a rule substantially similar to its present form, it will fail to address the significant contribution of upwind sources to downwind non-attainment of these health standards in a timely manner, and we will inevitably miss our attainment deadlines. This prospect is unacceptable to the State of Connecticut due to the health consequences for our citizens. Despite our commitment to reduce emissions locally, meeting the 8-hour ozone standard is an impossibility for Connecticut until the emission and transport of air pollution from upwind states is sufficiently addressed.


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I thank you and your staff for all your efforts to date. I trust that EPA will do its utmost to ensure this final rule advances, rather than sets back, our efforts. If EPA incorporates the suggested necessary recommendations, this rule can be the best effort to date to address the interstate transport of pollutants and finally deal with the largest sector responsible for downwind non-attainment problems.

Sincerely,



M. JODI RELL  
Governor

cc: Arthur J. Rocque, Jr., Commissioner, CT DEP  
Anne Gobin, Chief, Air Bureau, CT DEP  
Christopher Recchia, OTC